

Appl. No. 09/821,376

Docket No. 8491

Amendment dated October 15, 2007

Reply to Office Action mailed on May 14, 2007

Customer No. 27752

Amendments to the Claims: This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (Currently Amended):

A composition suitable for use as a food or beverage comprising:

- a) one or more flavanols;
- b) one or more bracers;
- c) vitamin B;
- d) maltodextrin having a dextrose equivalent of about 22 or less;

wherein the composition exhibits a Glycemic Index of about 55 or less, and wherein the composition further comprises from about 0.1% to about 10 % total fructose, by weight of the composition.

Claim 2 (original): A composition according to Claim 1 comprising green tea, wherein at least one of the bracers is caffeine.

Claim 3 (original): A composition according to Claim 2 which is a beverage composition exhibiting a Glycemic Index of about 45 or less.

Claim 4 (original): A composition according to Claim 3 wherein the beverage composition is a ready-to-drink beverage composition comprising at least about 50% total water, by weight of the composition.

Claim 5 (original): A composition according to Claim 4 comprising less than about 2% of total free sugars selected from the group consisting of glucose, sucrose, maltose, and mixtures thereof.

Claim 6 (original): A composition according to Claim 5 wherein at least one of the flavanols is a catechin.

Claim 7 (cancelled)

Claim 8 (Previously Presented): A composition according to Claim 6 comprising:

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- a) from about 1 milligram to about 200 milligrams of the total flavanol per every 240 milliliters of the composition; and
- b) from about 1 milligram to about 200 milligrams of the total bracer per every 240 milliliters of the composition.

Claim 9 (original): A composition according to Claim 8 wherein the vitamin B comprises vitamin B₆.

Claim 10 (original): A composition according to Claim 9 further comprising at least one member selected from the group consisting of complex carbohydrates, soluble fibers, and mixtures thereof.

Claim 11 (original): A composition according to Claim 10 wherein the composition comprises from about 0.15 milligrams to about 1.5 milligrams of vitamin B₆, of the vitamin B₆ per every 240 milliliters of the composition.

Claim 12 (cancelled)

Claim 13 (Previously Presented): A composition according to Claim 11 comprising:

- a) from about 10 milligrams to about 150 milligrams of the total flavanol per every 240 milliliters of the composition;
- b) from about 10 milligrams to about 100 milligrams of the total bracer per every 240 milliliters of the composition; and
- c) from about 0.3 milligrams to about 0.9 milligram of the vitamin B₆ per every 240 milliliters of the composition

wherein the composition exhibits a Glycemic Index of about 35 or less.

Claim 14 (original) A composition according to Claim 13 wherein the member is selected from the group consisting of maltodextrins, soluble fibers, and mixtures thereof.

Claim 15 (original) A composition according to Claim 14 wherein the composition exhibits a Glycemic Index of less than about 45.

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Claim 16 (Previously Presented) A composition according to Claim 6 comprising a member selected from the group consisting of apple juice, pear juice, agave, and mixtures thereof.

Claim 17 (original) A composition according to Claim 1 comprising agave.

Claim 18 (original) A kit comprising:

- a) a composition according to Claim 1; and
- b) information that use of the composition provides one or more benefits selected from the group consisting of perceived energy, physiological energy, low glycemic benefits, and combinations thereof.

Claim 19 (cancelled)

Claim 20 (original) A method of enhancing the perceived energy of a mammal comprising orally administering a composition according to Claim 1 to the mammal.